CITY OF RICHARDSON CITY PLAN COMMISSION MINUTES – APRIL 11, 2014

The Richardson City Plan Commission met on April 11, 2014, at 5:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: Barry Hand, Chairman

Gerald Bright, Vice Chair

Marilyn Frederick, Commissioner Janet DePuy, Commissioner Eron Linn, Commissioner Randy Roland, Commissioner Stephen Springs, Alternate Thomas Maxwell, Commissioner

Bill Ferrell. Alternate

CITY STAFF PRESENT: Michael Spicer, Director – Development Services

Sam Chavez, Assistant Director – Dev. Svcs – Planning

Israel Roberts, Development Review Manager

Chris Mr. Shacklett, Senior Planner Cindy Wilson, Administrative Secretary

BRIEFING SESSION

Prior to the start of the regular business meeting, the City Plan Commission met with staff regarding staff reports, agenda items and a work session. No action was taken.

MINUTES

1. Approval of the minutes of the regular business meeting of March 18, 2014.

Motion: Commissioner DePuy made a motion to approve the minutes as presented; second by Vice Chairman Bright. Motion passed 7-0.

VARIANCE

2. Variance 14-03 – Terrace Shopping Center: Consider and take necessary action on a request for approval of a variance from Chapter 21, the Subdivision and Development Code, Article II, Section 21-52(i) to allow a reduction in required parking. The subject property is located at 400 N. Greenville Avenue, at the southeast corner of Greenville Avenue and Apollo Road.

Mr. Roberts stated the applicant was seeking a variance from Chapter 21, of the Subdivision and Development Code, for a parking reduction for the Terrace Shopping Center located at the southeast corner of Greenville Avenue and Apollo Road. The request would reduce the required number of parking spaces by an additional 54 spaces, which would be in addition to the approved 10% parking reduction in 2005. The reduction would allow the main entry to be redesigned into a pedestrian area and allow Building D, located on the south end of the shopping center, to be fully leased as a restaurant. The applicant conducted a Parking Study during the week of January 14th that indicated the peak time to be Saturday evening with 325 parking spaces occupied. Staff visited the site during a Saturday evening and a lunch hour, and concurred with the results of the applicant's parking study.

Mr. Johnny Lee, 400 N. Greenville Avenue, Richardson Texas, applicant and property manager of shopping center stated the Center has been in existence since 1985. He said the renovation was being proposed to attract additional customers to the site and the reduced number of parking spaces, based on the parking study, would not cause any parking issues at the shopping center.

No other comments were received and Chairman Hand called for the motion.

Motion: Vice Chair Bright made a motion to recommend approval of VAR 14-03 as presented; second by Commissioner Frederick. Motion approved 7-0.

PUBLIC HEARINGS

3. ZF 14-09 – **Motor Vehicle Storage Lot:** Consider and take necessary action on a request for approval of a Special Permit for a motor vehicle storage lot to be located at 1320 International Parkway. The property is currently zoned I-FP(2) Industrial.

Mr. Shacklett stated the applicant was requesting approval of a special permit for a vehicle storage lot on an existing parking lot located at the southeast corner of International Parkway and Commerce Drive. The parking lot was constructed in 2000 to serve the property to the west; however, since that time, the property to the west has developed as Data Center Park and the parking lot has not been used for several years.

Mr. Shacklett pointed out that the applicant intends to relocate from their current location on the south side of Woodall Drive, south of the Arapaho Station, to accommodate future development of the property between Woodall Drive and Arapaho Road. Proposed changes would include erecting a six-foot high metal tubular fence with gates within the landscape buffer and the addition of hail nets internal to the site to protect the vehicles.

Mr. Shacklett closed his presentation by noting the proposed condition would only allow new cars that are transit to be stored on the site, and no correspondence had been received in favor or in opposition.

Commissioner Roland asked how the vehicles would be transported to the site.

Mr. Shacklett replied they would likely be trucked to the site or to the dealership for transport to the site.

Commissioner Linn asked if the proposed site was considered to be a truly secluded site as opposed to a hidden site.

Mr. Shacklett replied the site is not on any of the main roads and has very little traffic and visibility.

Commissioner DePuy asked how much space would be provided between the proposed fence and the existing building to the east, and was there any concern with the location of the fencing in case of an emergency.

Mr. Shacklett replied the area between the fence and building is approximately three (3) feet wide, and the Fire Department had reviewed the plans and requested the proposed fence be placed adjacent to the curb so as to not reduce access to the back of the building.

With no further questions for staff, Chairman Hand opened the public hearing.

Mr. Graham Moore, 1904 Main Street, Lake Como, New Jersey, with Dynamic Engineering, representing Courtesy Nissan stated they will off-load the vehicles at the dealership site and shuttle cars to the proposed location. The request for the ability to erect hails nets and security fencing were both conditions of insurance requirements and concurred with all the conditions as written.

Mr. Jess Pettit, 908 Quality Way, representing Digital Reality Trust of Dallas, property directly to the west of the site, stated they were not opposed to the request, but had concerns with the off-loading of cars on the street and did not want any advertising to be displayed on the canopy of the hail nets.

Mr. Moore stated they will not be placing advertising on the hail nets and the vehicles will be off-loaded at the Courtesy Nissan dealership site and shuttled to the proposed site.

Commission Linn asked the applicant if he would accept conditions prohibiting advertising on the hail nets and on-street unloading.

Mr. Moore replied yes, they would agree to the additional conditions.

Commissioner Bright asked staff if advertising signs would be allowed on the site.

Mr. Shacklett replied no, not without a main structure on the site. In addition, if it was the Commission's desire to prohibit on-street unloading and advertising on the hail nets the conditions should be included in the motion if so desired.

With no other comments received in favor or opposed, Chairman Hand closed the public hearing.

Motion: Commissioner Maxwell made a motion to recommend approval ZF 14-09 as presented with the addition of prohibiting loading and unloading of vehicles at the site and prohibiting advertising on the hail nets shall; second by Commissioner Linn. Motion approved 7-0.

4. ZF 14-06 – **West Park Villas:** Consider and take necessary action on a request for approval of a change in zoning from I-M(1) Industrial and TO-M Technical Office to PD Planned Development for the development of a 140-home patio home community on approximately 26.3 acres. The property is located at the southwest corner of Plano Road and Apollo Road.

Mr. Shacklett stated the applicant was requesting to rezone approximately 26.3 acres for the development of a 140 unit patio home community. He noted the proposed lot size would be 5,000 square feet, the minimum for a patio home district, with a minimum home size of 1,600 square feet – similar to other recently approved patio home communities in the City.

Mr. Shacklett outlined some of the width, depth and setback requirements of the lots and explained the proposed density would be approximately 5.3 units per acre, which was within the range for a typical patio home development (5.5 units per acre). He added the applicant was also requesting a waiver to not provide alleys within the development because all the homes will have front entry garages.

Mr. Shacklett advised that a masonry screening wall would be built along the back of the homes up to the open space amenity area where a pool and cabana would be required (phase two), and then continue down Apollo Road. In addition, the applicant was requesting to construct a decorative wood fence with masonry columns up against the post office's chain link fence and along the southern property line, but no fencing was proposed for the western portion of the property.

Mr. Shacklett closed his presentation by reviewing the applicant's requested exceptions to the proposed development standards and Chapter 21 of the City's Development Code.

Commissioner Linn asked for the locations of the other patio home developments referenced in the comparison table. Also, he wanted to know if the proposed development would be the only patio home development in the immediate area.

Mr. Shacklett replied that Savoy Land and Savoy Trace are in the Lennox area, Bridgewater is located at Renner Road and Sharp Lane, and Two Creeks is located at Custer Parkway and Lookout Drive.

Regarding other patio home developments, Mr. Shacklett stated there was a small pocket of patio homes to the east near Spring Valley Road and Jupiter Road that were developed in the 1980s.

Commissioner DePuy asked why the homes were centered on the lots.

Mr. Shacklett replied that he misspoke calling the development zero-lot line when the proposed homes were really patio homes similar to the Savoy Landing and Savoy Trace developments.

Commissioner Frederick pointed out that on Custer Parkway and Lookout Drive there was another patio home development called Pinery. She also wanted to know about the fencing around the proposed recreational area.

Mr. Shacklett stated that the current proposed development will not be a private, gated community like the Savoy properties so the pool area would be fenced per City regulations. However, the applicant felt that since the development would not be gated they did not want to put a physical barrier along Apollo Road that would prohibit anyone from walking through the landscape buffer into the open space area.

Commissioner Maxwell asked for clarification on the location of the power line on Apollo Road versus where the trees would be located. He also wanted to know what material would be used for the fence along Apollo and Plano Roads.

Mr. Shacklett replied the power line were 5 to 7 feet back of the curb and the developer would bring the trees 20 to 25 feet back of curb to provide the separation from the power lines. In addition, he confirmed the screening wall would be brick or masonry, which could be pre-cast concrete.

Commissioner DePuy asked if the utilities would be buried underground, and would elevations be presented to the Commission at a later date.

Mr. Shacklett stated the elevations would be part of staff's approval through the building process and would have to meet all City building regulations (Article XXIIF – Minimum Masonry Construction), and the utilities would be buried underground.

Commissioner Linn asked why the Commission would not see the elevations.

Mr. Shacklett replied that elevation approval of single family homes was not within the purview of the Commission unless a condition had been set forth in the PD.

Commissioner Maxwell asked if the development would come back before the Commission at any point in the future.

Mr. Shacklett replied there was no site plan approval required on single family homes; however, the preliminary plat, final plat and common landscape plans would come back before the Commission for approval.

With no further questions for staff, Chairman Hand opened the public hearing.

Mr. Jon Van De Voorde, representing Wilbow Corporation, 4131 N. Central Expressway, Dallas, Texas, commended the staff on their expertise and assistance. He gave a brief history of the Wilbow Corporation and the property under consideration and explained why a patio home community would work well in the area due to the adjacency of single family homes southwest and northeast of the property.

Mr. Van De Voorde noted they would be adding 5 feet to the landscape buffer along Apollo and Plano Roads to take into consideration the utility easements as well as providing sidewalk access to the southwest portion of the property for the City's future connection to Mark Twain Elementary school.

Regarding Commissioner Linn's question of other products in the area, Mr. Van De Voorde, said there were no similar products in the immediate area.

Mr. Van De Voorde concluded his presentation by noting the need for the proposed product because of the influx of new businesses in the City as well as the demand to be in the Richardson Independent School District (RISD). He added that with the wider lots to allow for different architectural styles along with the pool, cabana, and walkability of the development will increase the attractiveness of the community.

Commissioner DePuy asked what the price point would be for their product, would the homes all be two stories, and for further explanation of why the homes would be centered in the lots.

Mr. Van De Voorde replied the price point would be in the upper \$200,000 to mid \$300,000, and there would be a mix of both one and two story homes depending on the needs of the homeowner.

Regarding centering the homes on the lots, Mr. Van De Voorde explained that to avoid the issue of having to access a homeowner's property by going through a neighbor's yard (zero lot line), and for ease of designing drainage easements, the homes will be centered on the lots.

Commissioner DePuy asked if the applicant had spoken with representatives from RISD and Mr. Van De Voorde said that discussion was next on their list.

Commissioner Linn asked about the market demographics and how the size of the proposed homes compared to other homes in the area.

Mr. Van De Voorde replied predominate market would be first time buyers with no children as well as older couples who might be downsizing. However, because of the school district there was the possibility of buyers with children.

Mr. Van De Voorde stated the average size of the homes would be approximately 2,200 square feet, which would be comparable to the homes to the south and west, but not to the north and the east.

Mr. Chaz Fitzgerald, President, Wilbow Corporation, 4131 N. Central Expressway, Dallas, Texas, stated there may be some overlaps in square footages, but the floor plans with David Weekley Homes would look much differently from the surrounding homes that were built 30 or 40 years ago. The homes would have more public rooms with larger spaces, but fewer bedrooms.

Commissioner Ferrell asked why a wall was not included on the southwest corner of property going north along the property line. He added that in his experience when a wall was not present on one side of a property it was a non-deterrent for crime.

Mr. Van De Voorde said there would be a wall along the southern portion of the property, but along the property line going north there is a large drainage channel and he felt that would deter any criminal activity.

Commissioner Maxwell asked what materials would be used for the screening wall along Apollo and Plano Roads. He also wanted to know if the applicant would object to limiting the materials used to brick or stone as opposed to concrete.

Mr. Van De Voorde replied the wall would be constructed of a masonry product; brick or stone, with columns every 5 feet. He added that they would have no objections to limiting the materials for the wall to brick or stone.

Commissioner Frederick asked if the applicant had thought about adding bollards around the swimming pool area because of the close proximity to the busy intersection of Apollo and Plano Roads.

Mr. Fitzgerald replied their intent was to have the same open view to the east of their pool area as there is to the west side of the City's park and give the impression of driving into a very open and leafy district when driving south on Plano Road.

Commissioner Maxwell said it struck him as odd to put a private-use pool in such a prominent location and wanted to know if it would be possible to place the pool in a more secluded area for the homeowners use.

Mr. Van De Voorde reiterated comments made by Mr. Fitzgerald regarding an open and airy view and the connectivity to the park and stated that if the pool was located elsewhere in the community that would not be possible.

No comments were received in favor.

Mr. Dee Schieferstein, 302 N. Yale Drive, Richardson, Texas came forward to speak in opposition to the case. His concerns were related to traffic congestion and additional homes using more water.

Ms. Carmen Hernandez, 1500 Creekside Drive, Richardson, Texas, came forward and asked questions about home sizes, floor plans, elevations and how long the project would take from start to finish.

Mr. Craig Malan, MLA Consulting Engineers, 101 W. Renner Road, Richardson, Texas, representing the applicant, spoke to the question of traffic stating they had completed a traffic study and, based on the number of units, they were not anticipating any traffic issues. In addition, as part of the application there would be a right turn lane constructed on east bound Apollo Road at Plano Road as well as a left turn lane in the median on northbound Plano Road at the entrance to the community.

To the question of home size, Mr. Fitzgerald used the seven floor plans available on David Weekley Homes in Savoy Trace (2,000 to 3,200 square feet) as an example of the type of homes that would be built, and each home buyer would be offered three elevation options for their home. In addition, with the wider lots being offered, there would be room for more floor plans with the master bedroom on the first floor.

Chairman Hand asked if there were restrictions in place in the Covenants, Conditions, and Restrictions (CCRs) to prevent like floor plans and elevations next to each other.

Mr. Fitzgerald confirmed the CCRs contained a "non-repetition" clause to prevent that from happening, and regarding the time line for the project, it would take approximately five years for build out to occur.

With no further comments, Chairman Hand closed the public hearing.

Commissioner Linn asked Commissioners DePuy and Frederick, who are realtors, their opinions on the viability of the development.

Commissioner DePuy said she thought the product would sell very quickly and it gave the City another housing product to offer. She added the development would most likely increase the value of the homes to the south and because the product will be patio homes, the number of children would be limited, therefore limiting the impact on surrounding schools.

Commissioner Frederick concurred with Ms. DePuy's comments and added that more one story or one and one-half story homes would be more desirable.

Vice Chair Bright said he was not a fan of the product on the available open space.

Commissioner DePuy pointed out that being in close proximity to a City park does nothing but enhance the viability of the development.

Chairman Hand stated he was in favor of the open space on the corner of Apollo and Plano Roads, but thought the overall design of the community should be similar to the openness of the surrounding neighborhoods. In addition, he had concerns that the two-entries to the community were not sufficient and more were needed.

Commissioner Frederick asked Mr. Hand if he would prefer a two-way entrance and a smaller exit on Plano Road to allow for a better traffic flow.

Chairman Hand said he would like an exit onto Glenville Drive in addition to Apollo and Plano Roads.

Commissioner Linn pointed out the Commission was being asked to approve a zoning change in conjunction with a Planned Development, but if the request before the Commission was simply to change from Industrial zoning to Planned Development, he would be in favor of that change. He suggested separating the request into two parts and asking the applicant to rework the design of the community.

Mr. Fitzgerald stated they had tried seven different land plans for the property, and the development would be open to some of the surrounding neighborhoods and areas, specifically to the park to the east and across the open land to the west. In addition, the Plano Road entrance to the development will be directly across from the entrance to the park.

Commissioner Maxwell pointed out that most of the residential communities along Plano Road were screened by fences, but suggested it would be nice to get another opening onto Apollo Road to help the development blend in with the Duck Creek neighborhood. He added that he liked the open space on the corner of Apollo and Plano Roads, but did not like the private use of the pool and cabana on such a public corner.

Commissioner DePuy said the pool in the corner did not cause her any concern and noted the pool at Heights Park was up against the street, but did think landscaping and a berm would help.

Commissioner Linn stated he agreed with Mr. Maxwell's concern about the location of the pool noting the property would not be a gated community and controlled access would be difficult to maintain in the long term.

Chairman Hand stated the location and control of the pool was more of an operations issue as opposed to a land use issue.

Commissioner Linn disagreed and noted the request was a PD Planned Development and if the request was approved it would remain the same unless changed by City Council.

Commissioner Maxwell clarified that if the plan was to come back before the Commission further along in the development process he might feel more comfortable with approving the request, but with the information currently presented he was not comfortable with the request.

Mr. Fitzgerald reminded the Commission the site and landscape plans would come back before them, and noted the cabana would be up against the fence at the busy intersection, but said they would be agreeable to fencing the pool area off with steel picket fencing if that addressed the Commission's concerns.

Chairman Hand asked if a land plan has ever been considered that turned the lots 90 degrees and there were north/south streets.

Mr. Fitzgerald replied they had reviewed that as one of the possible land plans, but noted that most people in Texas want a home with north/south orientation so the back or front of their homes did not face the west.

Commissioner Springs said an open space area in the northeast corner was far superior then having more brick walls at entrance areas. He suggested the entire open space amenity area become part of the landscape plan so the Commission would be able to review it during the development process.

Chairman Hand asked if there was a reason Street D could not go through to Apollo Road.

Mr. Fitzgerald said he thought there were some site line issues and Mr. Shacklett added there could be distance issues from Plano Road.

Commissioner Maxwell asked to clarify his position stating he was not looking for a steel picket fence on the Apollo and Plano Roads corner and would prefer it to be open, but his concern was having the pool at such a busy intersection.

Commissioner DePuy said she thought the proposed development would be a good use of the land and pointed out that the homes in this development could possibly help the retail at Belt Line and Plano Roads.

Mr. Shacklett advised that if a motion was made to approve, the Commission might want to include in the motion that the wall along Apollo and Plano Roads would be constructed of brick of stone; a future connection to Glenville Drive shall be allowed; and that the design and location of the pool and cabana become part of the landscape plan.

Motion: Commissioner Roland made a motion to recommend approval of ZF 14-06 as presented with the following conditions: 1) screening wall be constructed of brick or stone; 2) future connection to Glenville Drive shall be allowed; second by Commission DePuy.

Commissioner Linn asked if the motion included making the open space area part of the landscape plan.

Mr. Shacklett replied the motion did not specifically call out making the open area part of the landscape plan; however, the common area landscape plan approval would be part of what the Commission would review at a future time.

Commissioner Maxwell stated he was basically in favor, but without the additional oversight of the open area he said he would be voting against the item.

Mr. Shacklett pointed out that the plat would most likely be routine, and the common area landscape plan would be reviewed by the Commission, but did not offer the same latitude for change as what happens in a zoning case. He added that if there were specific elements the Commission wanted to look at with full discretion at the time of development plans, then that should be part of the motion.

Commissioner Roland said he thought the current location of the pool was the perfect spot and provided better security as opposed to the pool being moved interior to the development which would disrupt the quality of life for any adjacent homeowners.

Chairman Hand said he was still undecided about the pool location, but was more concerned with adding a third entrance to the community.

Motion failed 3-4 with Chairman Hand, Vice Chair Bright and Commissioners Maxwell and Linn opposed.

Commissioner Maxwell said he wanted another chance to review the common area to make sure the pool was not at the hard corner.

Chairman Hand asked if the location of the pool would be part of the landscape review.

Mr. Shacklett replied that was correct, but if the applicant wanted to move it a slight distance the Commission has no control over that, but if the location of the pool in proximity to the street was an issue, then the Commission could ask the applicant to make changes. He reminded the Commission that the applicant had already stated the cabana would be closer to the street then the pool, which could be a condition that was added at the time of the motion.

Commissioner DePuy confirmed the applicant had stated the cabana would be on the hard corner and the pool interior to that location, and Mr. Shacklett again said the Commission could make that part of their motion.

Mr. Fitzgerald stated they were working under a strict timetable and the item needed to go to the City Council at the meeting on Monday, April 14, 2014. He pointed out the open space lot where the pool would be located already had a twenty-five (25) foot setback from the Plano Road right-of-way, and with landscaping, fence and pool deck that setback would be approximately thirty-five (35) feet back of the right-of-way.

Commissioner Maxwell asked the applicant if he had any concerns the public might think the pool was open to all.

Mr. Fitzgerald replied that his company operates many amenity centers and most of their pools are in the most public and open area as possible and they have not had any problems. He suggested the language for the motion might state the pool would be located as interior to the internal street as possible and buffered as much as possible from Plano Road.

Commissioner Springs stated he thought the question of the pool was more an operational issue as opposed to a land use issue, plus he did not see anything that would prevent the homeowners association from putting in a fence in the future if needed.

Chairman Hand asked why the Commission would not have the opportunity to work with the applicant during the landscape plan review on the placement of the pool.

Mr. Shacklett replied the Commission could work with the applicant; however, at the end of the day if the applicant presented a plan that complied with the zoning the Commission would not be able to force a change. He added that if the Commission was more comfortable with setting out certain parameters for the pool and cabana, they would have to be made part of the motion and become part of the zoning.

Mr. Fitzgerald stated that if the motion contained language that the pool should be located away from the corner and south of the cabana, or the cabana shall shield the pool from the intersection, they would be amenable to that suggestion.

Motion: Commissioner DePuy made a motion to recommend approval of ZF 14-06 as presented with the following conditions: 1) screening wall be constructed of brick or stone; 2) future connection to Glenville Drive shall be allowed; 3) that the cabana shall be located between the hard corner of Apollo and Plano Roads and shall shield the view of the pool from the intersection; second by Commissioner Frederick.

Commissioner Linn asked for clarification of the motion, specifically the northwest portion of the open space lot and Mr. Fitzgerald said it would be open space.

Motion approved 5-2 with Chairman Hand and Vice Chair Bright opposed.

ADJOURN

With no further business before the Commission, Chairman Hand adjourned the regular business meeting at 7:05 p.m.

Gerald Bright, Vice Chair City Plan Commission